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H.C.P.(MD) No.268 Of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:26.02.2024

CORAM:

**THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN
and
THE HONOURABLE MR.JUSTICE C.KUMARAPPAN**

H.C.P.(MD) No.268 of 2024

Kavitha

...Petitioner/Mother the detenu

-VS-

1.The Commissioner of Police,
Madurai City.

2.The Inspector of Police,
KoodalPudur Police Station,
Madurai City.

... Respondents

PRAYER : Petition is filed under Article 226 of the Constitution of India praying for the issue of a Writ of Habeas Corpus directing the respondents herein to secure and produce the body or person of the detenu namely, Jeeyasree, daughter of Jeyakumar, aged about 20 years before this Court and set her at liberty.

For Petitioner : Mr.G.Vishnuraj

For Respondents : Mr.RMS.Sethuraman,
Addl.Public Prosecutor



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ORDER

DR.G.JAYACHANDRAN,J.
AND
C.KUMARAPPAN,J.

This habeas corpus petition has been filed by the mother of the detenu, seeking for a direction to the respondents to produce the body or person of the detenue namely, Jeeyasree, daughter of Jeyakumar, aged about 20 years before this Court and set her at liberty.

2.Heard the learned counsel appearing on either side and perused the materials placed before this Court.

3.The mother of the girl, aged 20 years, has given a complaint to the Koodal Pudur Police Station on 10.2.2024 alleging that her daughter who has completed B.Sc Physics and preparing for TNPSC exam, gone missing from 5.2.2024 and therefore, sought the help of the respondents Police to trace her missing daughter.

4.However, the respondents Police on or about the same time, had received a letter from Jeeyasree, daughter of Jeyakumar stating that she had affair with one Raja and had eloped with him and due to repercussion



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from the family members, she got married the said Raja and thereafter register their marriage on 7.10.2022 which was made known to the family and her family members. As she was having life threat, during January 2022, she left the home and living with the said Raja. Suppressing these facts, complaint has been given.

5. Photographs of the marriage ceremony and the Marriage Registration Certificate issued in the Sub-Registrar's Office, Dindigul, dated 7.10.2022 also enclosed. This Habeas Corpus Petition is liable to be dismissed, on the ground of suppression of facts and upon the fact that the girl had attained majority and on her own, she had married one Raja and living with him. The marriage certificate produced before this Court indicates that the Petitioner's daughter is a major. Hence, the Habeas Corpus Petition is devoid of merits and not maintainable..

6. Accordingly, the Habeas Corpus Petition stands dismissed.

[G.J.,J.] [C.K.,J.]

26.02.2024

NCS : Yes/No
Index : Yes / No
Internet : Yes / No
vsn

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- 1.The Commissioner of Police,
Madurai City.
- 2.The Inspector of Police,
KoodalPudur Police Station,
Madurai City.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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vsn

ORDER MADE IN

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